

## **STATE OF CLAIMS**

Claims 1-6, 8-12, 14, 15 and 17 are pending and at issue in the application with claims 1 and 14 being independent claims. All of the claims at issue stand rejected.

## **REMARKS**

Claims 1, 2, 5, 8-12, 14 and 17 were rejected under 35 U.S.C. §102(b) as being anticipated by Clynes (U.S. Patent No. 5,590,282). Claims 1-3, 5, 8, 9, 11, 12, 14 and 17 were rejected under 35 U.S.C. §102(e) as being anticipated by Sung et al. (U.S. Patent No. 6,423,893). Claims 3, 4, 6 and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Clynes (U.S. Patent No. 5,590,282). Claims 4, 6 and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sung et al. (U.S. Patent No. 6,423,893).

## **RESPONSE**

### **I. Claims 1, 2, 5, 8-12, 14 and 17 Are Allowable Over Clynes.**

Applicant respectfully traverses the rejection of claims 1, 2, 5, 8-12, 14 and 17 under 35 U.S.C. §102(b) as being anticipated by Clynes (U.S. Patent No. 5,590,282). Reconsideration and withdrawal of the rejections in light of the following remarks are respectfully requested.

Claim 1 of the present invention is allowable over Clynes because claim 1 recites in part, a system for remotely modifying and transforming media files having a media switch matrix, wherein the media switch matrix uses a chaining process to route the plurality of types of media files to said modifying means and a media interface device control repeater for selecting one of a predetermined plurality of transformations to be performed by said transforming means. Clynes fails to disclose a system that includes the above described elements.

Clynes discloses an information highway for music performance and interpretation in which a plurality of subscribers are linked by an interactive network to a central computer station in whose memory is stored a library of music scores. However, Clynes does not teach a system for remotely modifying and transforming media files as required by the claims of the present invention. To the contrary, Clynes teaches a music information highway having a central computer station having a first memory file, a second memory file and a plurality of subscriber posts coupled by an interactive network. Clynes simply does not disclose a media switch matrix for routing a plurality of types of media files to a modifying means. The media switch matrix, as recited by the claim 1 of the present invention, uses a chaining process to route the plurality of type of media files to a modifying means.

Further, Clynes does not teach using a media interface device control repeater for selecting one of a predetermined plurality of modifications to be performed by a modifying means. By way of example, in the present invention, if a user chooses to perform multiple modifications to a media file, the modified file is retransmitted to the media switch matrix for rerouting to the assigned processor until all of the modifications requested by the user have been performed. Such a system is not disclosed in Clynes. For at least these reasons, claim 1 is allowable over Clynes. Additionally, because claim 1 is allowable over Clynes, claims 2, 5 and 8-12 which ultimately depend from claim 1, are also allowable over Clynes.

Claim 14 is allowable over Clynes because claim 14 recites a system having a novel media switch matrix and media interface device control repeater and a network to allow communication from the personal communication device to the host computer and from the host computer to the personal communication device. As previously discussed, Clynes discloses an information highway for music performance and interpretation in which a plurality of subscribers are linked by an interactive network to a central computer station in whose memory is stored a library of music scores. Claim 14 is allowable over Clynes for substantially the same reasons that claim 1 is allowable over Clynes. Further, because claim 14 is allowable over Clynes, claim 17 which depends from claim 14, is also allowable.

## **II. Claims 1-3, 5, 8, 9, 11, 12, 14 and 17 Are Allowable Over Sung et al.**

Applicant respectfully traverses the rejection of claims 1-3, 5, 8, 9, 11, 12, 14 and 17 under 35 U.S.C. §102(e) as being anticipated by Sung et al. (U.S. Patent No. 6,423,893). Reconsideration and withdrawal of the rejections in light of the following remarks are respectfully requested.

Claim 1 of the present invention is allowable over Sung et al. because claim 1 recites a system for remotely modifying and transforming media files having a media switch matrix, wherein the media switch matrix uses a chaining process to route the plurality of types of media files to said modifying means and a media interface device control repeater for selecting one of a predetermined plurality of modifications to be performed by said modifying means. Sung et al. fails to disclose a system that includes the above described elements.

Sung et al. discloses a system and method that allows an on-line user of a wide area network to remotely author and publish instructional material for musical instruments for the purposes of dissemination to other on-line users. While Sung et al. discloses a system for remotely creating, publishing and viewing music and textual information for musical instruments on a wide area network, Sung et al. does not teach using a media switch matrix to route a plurality of types of media files to a means for modifying the plurality of types media files, where the media switch matrix uses a chaining process to route the plurality of types of media files to a modifying means. Further, Sung et al., as with Clynes, does not disclose using a media interface device control repeater to select one of a predetermined plurality of modifications as required by the claims of the present invention. For at least these reasons, claim 1 is allowable over Sung et al. Additionally, because claim 1 is allowable over Sung et al., claims 2-3, 5, 8, 9, 11 and 12 which ultimately depend from claim 1, are also allowable over Sung et al.

Claim 14 is allowable over Sung et al. because claim 14 recites a system having a novel media switch matrix and media interface device control repeater and a network to allow communication from the personal communication device to the host computer and from the host computer to the personal communication device. As previously discussed, Sung et al. discloses a system and method that

allows an online user of wide area network to remotely author and publish instructional material for musical instruments for the purposes of dissemination to other online users. However, claim 14 is allowable over Sung et al. for substantially the same reasons that claim 1 is allowable over Sung et al. Further, because claim 14 is allowable over Sung et al., claim 17 which depends from claim 14, is also allowable.

### **III. Claims 3, 4, 6 and 15 Are Allowable Over Clynes and Sung et al.**

Applicant respectfully traverses the rejection of claims 3, 4, 6 and 15 under 35 U.S.C. §103(a) as being unpatentable over Clynes (U.S. Patent No. 5,590,282), in view of what was well known in the art at the time the invention was made and claims 4, 6 and 15 under 35 U.S.C. §103(a) as being unpatentable over Sung et al. (U.S. Patent No. 6,423,893), in view of what was well known in the art at the time the invention was made. Reconsideration and withdrawal of the rejections in light of the following remarks are respectfully requested.

Claims 3 and 4 are directed in part to receiving the media file from a personal communication device over the Internet or over a private network. Claims 6 and 15 are directed to a modifying means that includes a media patchbay and a media interface device. Claims 3, 4, 6 and 15 depend from independent claims 1 and 14. Because claims 3, 4, 6, and 15 depend from allowable independent claims 1 and 14, claims 3, 4, 6 and 15 are also allowable.

## CONCLUSION

Applicant respectfully requests reconsideration of the application in view of the foregoing remarks and early issuance of a Notice of Allowance covering all claims in the application. Should the Examiner have any questions regarding this application, he is invited to contact Applicant's attorney at the telephone number below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. Huff', is written over a horizontal line.

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